

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

Morning session:  
Set: 9:30 AM (AST)  
Started: 9:45 AM (AST)  
Ended: 12:00 PM (AST)

Afternoon session:  
Set: 1:00 PM (AST)  
Started: 1:05 PM (AST)  
Ended: 4:40 PM (AST)

**MINUTES OF PROCEEDINGS**

**BEFORE U.S. DISTRICT JUDGE LAURA TAYLOR SWAIN**

**DATE: June 12, 2019**

**MAGISTRATE JUDGE JUDITH G. DEIN**

COURTROOM DEPUTY: Lisa Ng

COURT REPORTER: Amy Walker

In Re:  THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO  <i>as representative of</i>  THE COMMONWEALTH OF PUERTO RICO, <i>et al.</i> Debtors	3:17-BK-3283 (LTS)  PROMESA Title III  (Jointly Administered)
In Re:  THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO  <i>as representative of</i>  THE EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO, Debtor	3:17-BK-3566 (LTS)  PROMESA Title III

In Re:  THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO  <i>as representative of</i>  PUERTO RICO HIGHWAYS AND TRANSPORTATION AUTHORITY, Debtor	3:17-BK-3567 (LTS)  PROMESA Title III
In Re:  THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO  <i>as representative of</i>  PUERTO RICO ELECTRIC POWER AUTHORITY, Debtor	3:17-BK-4780 (LTS)  PROMESA Title III

**Omnibus Hearing held.**

**I. Status Report**

1. Report from the Oversight Board.
2. Urgent Motion of the Financial Oversight and Management Board of Puerto Rico and the Official Committee of Unsecured Creditors of All Title III Debtors (Except COFINA) for Limited Relief from Supplemental Case Management Order [Case No. 17-3283, ECF No. 7349].
  - The Court is currently in discussion with the Clerk of Court to establish procedures that will allow for necessary amendments. Nothing shall be filed until the Court enters a procedural order.
3. Joint Status Report by Ambac and the Oversight Board in connection with Motion of Ambac Assurance Corporation Concerning Application of the Automatic Stay to the Revenues Securing PRIFA Rum Bonds [Case No. 17-3283, ECF Nos. 7176, 7347].
  - The Court will enter an order.

**II. Fee Applications.**

1. Report from the Fee Examiner regarding Second, Third and Fourth Interim Applications for Compensation and Fee Examiner's Proposed Order on Presumptive Standards for Professionals and Expenses.

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- The Court will enter the revised proposed presumptive standards order (Case No. 17-3283, ECF No. 7214).
- A revised proposed order in connection with the approved fee applications will be submitted by the Fee Examiner.

### **III. Uncontested Matters**

1. Commonwealth's Objection to Individual Claim of Ruth E. Garcia Mattos. Objection of the Commonwealth of Puerto Rico to Proof of Claim of Ruth E. Garcia Mattos (Claim No. 56596) [Case No. 17-3283, ECF No. 6070]
  - The claim objection is sustained, and the subject claim will be disallowed, subject to the filing of a certification attesting to attesting to the Debtors' re-review of the claim objection. The Court will enter an Order after the filing of the certification.
2. ERS's Objection to Individual Claim of Benjamin Arroyo Sosa. Objection of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Proof of Claim of Benjamin Arroyo Sosa (Claim No. 45727) [Case No. 17-3283, ECF No. 6072]
  - The claim objection is sustained, and the subject claim will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the claim objection. The Court will enter an Order after the filing of the certification.
3. COFINA's Objection to Proof of Claim of Samuel Hazelton, IV. Objection of Puerto Rico Sales Tax Financing Corporation to Proof of Claim of Samuel Hazelton, IV (Claim No. 168364) [Case No. 17-3283, ECF No. 6893]
  - The claim objection is sustained, and the subject claim will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the claim objection. The Court will enter an Order after the filing of the certification.
4. COFINA's Objection to Proofs of Claim of Josey Rodriguez Torres. Objection of Puerto Rico Sales Tax Financing Corporation to Proofs of Claim of Josey Rodriguez Torres (Claim Nos. 16844, 168447, 168551) [Case No. 17-3283, ECF No. 6894]
  - The claim objection is sustained, and the subject claim will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the claim objection. The Court will enter an Order after the filing of the certification.
5. COFINA's Objection to Proof of Claim of Rafael Rentas. Objection of Puerto Rico Sales Tax Financing Corporation to Proof of Claim of Rafael Rentas (Claim No. 168446) [Case No. 17-3283, ECF No. 6895]
  - The claim objection is sustained, and the subject claim will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the claim objection. The Court will enter an Order after the filing of the certification.
6. COFINA's Objection to Proof of Claim of Juan A. Melendez Perez. Objection of Puerto Rico Sales Tax Financing Corporation to Proof of Claim of Juan A. Melendez Perez (Claim No. 168445) [Case No. 17-3283, ECF No. 6896]
  - The claim objection is sustained, and the subject claim will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the claim objection. The Court will enter an Order after the filing of the certification.

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7. COFINA's Objection to Proof of Claim of Fideicomiso Plaza. Objection of Puerto Rico Sales Tax Financing Corporation to Proof of Claim of Fideicomiso Plaza (Claim No. 30279) [Case No. 17-3283, ECF No. 6897]
  - The claim objection is sustained, and the subject claim will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the claim objection. The Court will enter an Order after the filing of the certification.
8. HTA's Twenty-Second Omnibus Objection to Claims. The Puerto Rico Highways and Transportation Authority's Twenty-Second Omnibus Objection (Non-Substantive) to Subsequently Amended Claims [Case No. 17-3283, ECF No. 6271]
  - The objections to the subject claims are sustained, and the subject claims will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the subject claims. The Court will enter an Order after the filing of the certification.
9. ERS's Twenty-Ninth Omnibus Objection to Claims. The Employees Retirement System of the Government of the Commonwealth of Puerto Rico's Twenty-Ninth Omnibus Objection (Non-Substantive) to Exact Duplicate Claims [Case No. 17-3283, ECF No. 6278]
  - The objections to the subject claims are sustained, and the subject claims will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the subject claims. The Court will enter an Order after the filing of the certification.
10. ERS's Thirty-Second Omnibus Objection to Claims. The Employees Retirement System of the Government of the Commonwealth of Puerto Rico's Thirty-Second Omnibus Objection (Non-Substantive) to Subsequently Amended Claims [Case No. 17-3283, ECF No. 6281]
  - The objections to the subject claims are sustained, and the subject claims will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the subject claims. The Court will enter an Order after the filing of the certification.
11. ERS's Thirty-Third Omnibus Objection to Claims. The Employees Retirement System of the Government of the Commonwealth of Puerto Rico's Thirty-Third Omnibus Objection (Non-Substantive) to Deficient Claims [Case No. 17-3283, ECF No. 6282]
  - The objections to the subject claims are sustained, and the subject claims will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the subject claims. The Court will enter an Order after the filing of the certification.
12. COFINA's Objection to Proof of Claim of Santander Securities LLC. Objection of Puerto Rico Sales Tax Financing Corporation to Proof of Claim of Santander Securities LLC (Claim No. 112132) [Case No. 17-3283, ECF No. 6892]
  - The objections to the subject claims are sustained, and the subject claims will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the subject claims. The Court will enter an Order after the filing of the certification.

#### **IV. Contested Matters**

1. The Puerto Rico Funds' Motion to Vacate Appointment of Official Committee of Unsecured Creditors. [Case No. 17-3283, ECF No. 6162, Case No. 17-3566, ECF No. 433]
  - For the reasons stated in open court, the motion is denied.
  - The Court will enter an order reflecting its decision.

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2. Committee's Motion to Establish Procedures regarding Omnibus Objection to Claims of ERS Bondholders. [Case No. 17-3283, ECF No. 5589, Case No. 17-3566, ECF No. 386]
  - This matter is adjourned to the July Omni.
  - The Court will expect either an agreed proposed order or a proposed briefing schedule in advance of the July Omni.
3. Debtors' Motion to Approve Amended Omnibus Objection Procedures. Debtors' Motion for Entry of an Order (A) Approving Amended Omnibus Objection Procedures, (B) Waiving the Requirement of Bankruptcy Rule 3007(e), (C) Approving Additional Forms of Notice, and (D) Granting Related Relief [Case No. 17-3283, ECF No. 7091]
  - The motion is granted.
  - The Court will enter the proposed Form of Order.
4. Commonwealth's Twentieth Omnibus Objection to Claims. Commonwealth of Puerto Rico's Twentieth Omnibus Objection (Non-Substantive) to Subsequently Amended Claims [Case No. 17-3283, ECF No. 6269]
  - The objections to the subject claims are sustained, and the subject claims will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the subject claims. The Court will enter an Order after the filing of the certification.
5. Commonwealth's Twenty-First Omnibus Objection to Claims. Commonwealth of Puerto Rico's Twenty-First Omnibus Objection (Non-Substantive) to Deficient Claims [Case No. 17-3283, ECF No. 6270]
  - The objections to the subject claims are sustained, and the subject claims will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the subject claims. The Court will enter an Order after the filing of the certification.
6. Commonwealth's Twenty-Third Omnibus Objection to Claims. Commonwealth of Puerto Rico's Twenty-Third Omnibus Objection (Non-Substantive) to Exact Duplicate Claims [Case No. 17-3283, ECF No. 6272]
  - The objections to the subject claims are sustained, and the subject claims will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the subject claims. The Court will enter an Order after the filing of the certification.
7. Commonwealth's Twenty-Fourth Omnibus Objection to Claims. Commonwealth of Puerto Rico's Twenty-Fourth Omnibus Objection (Non-Substantive) to Exact Duplicate Claims [Case No. 17-3283, ECF No. 6273]
  - The objections to the subject claims are sustained, and the subject claims will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the subject claims. The Court will enter an Order after the filing of the certification.
8. Commonwealth's Twenty-Fifth Omnibus Objection to Claims. Commonwealth of Puerto Rico's Twenty-Fifth Omnibus Objection (Non-Substantive) to Exact Duplicate Claims [Case No. 17-3283, ECF No. 6274]
  - The objections to the subject claims are sustained, and the subject claims will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the subject claims. The Court will enter an Order after the filing of the certification.

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9. Commonwealth's Twenty-Sixth Omnibus Objection to Claims. Commonwealth of Puerto Rico's Twenty-Sixth Omnibus Objection (Non-Substantive) to Exact Duplicate Claims [Case No. 17-3283, ECF No. 6275]
  - The objections to the subject claims are sustained, and the subject claims will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the subject claims. The Court will enter an Order after the filing of the certification.
10. Commonwealth's Twenty-Seventh Omnibus Objection to Claims. Commonwealth of Puerto Rico's Twenty-Seventh Omnibus Objection (Non-Substantive) to Exact Duplicate Claims [Case No. 17-3283, ECF No. 6276]
  - The objections to the subject claims are sustained, and the subject claims will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the subject claims. The Court will enter an Order after the filing of the certification.
11. HTA's Twenty-Eighth Omnibus Objection to Claims. The Puerto Rico Highways and Transportation Authority's Twenty-Eighth Omnibus Objection (Non-Substantive) to Exact Duplicate Claims [Case No. 17-3283, ECF No. 6277]
  - The objections to the subject claims are sustained, and the subject claims will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the subject claims. The Court will enter an Order after the filing of the certification.
12. ERS's Thirtieth Omnibus Objection to Claims. The Employees Retirement System of the Government of the Commonwealth of Puerto Rico's Thirtieth Omnibus Objection (Non-Substantive) to Exact Duplicate Claims [Case No. 17-3283, ECF No. 6279]
  - The objections to the subject claims are sustained, and the subject claims will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the subject claims. The Court will enter an Order after the filing of the certification.
13. ERS's Thirty-First Omnibus Objection to Claims. The Employees Retirement System of the Government of the Commonwealth of Puerto Rico's Thirty-First Omnibus Objection (Non-Substantive) to Exact Duplicate Claims [Case No. 17-3283, ECF No. 6280]
  - The objections to the subject claims are sustained, and the subject claims will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the subject claims. The Court will enter an Order after the filing of the certification.
14. COFINA's Thirty-Fourth Omnibus Objection to Claims. Puerto Rico Sales Tax Financing Corporation's Thirty-Fourth Omnibus Objection (Non-Substantive) to Late-Filed and Duplicate Bond Claims [Case No. 17-3283, ECF No. 6526]
  - The objections to the subject claims are sustained, and the subject claims will be disallowed, subject to the filing of a certification attesting to the Debtors' re-review of the subject claims. The Court will enter an Order after the filing of the certification.
15. Asociación Puertorriqueña de la Judicatura, Inc.'s Motion for Relief from Stay. Motion for Relief from Stay [Case No. 17-3283, ECF No. 4398]
  - This matter is taken under submission.
16. AMPR's Motion for Relief from Stay. Motion for Relief from Automatic Stay [Case No. 17-3283, ECF No. 3914]
  - This is adjourned to the July 24<sup>th</sup> Omni with a status report to filed by July 17<sup>th</sup>.

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**V. Contested Matters before Judge Dein**

1. Committee's Motion to Extend Time for Service of Summons and Complaints and to Stay Certain Adversary Proceedings Relating to Certain Challenged GO Bonds. [Case No. 17-3283, ECF No. 6857]
  - The Motion is granted in part. Separate order to be issued.
2. Committee's Motion to Extend Time for Service of Summons and Complaints and to Stay Certain Adversary Proceedings Relating to Certain HTA Bonds. [Case No. 17-3283, ECF No. 7060, Case No. 17-3567, ECF No. 567]
  - The Motion is granted in part. Separate order to be issued.
3. Committee's Motion to Extend Time for Service of Summons and Complaints and to Stay Certain Adversary Proceedings Relating to Certain ERS Bonds. [Case No. 17-3283, ECF No. 7061, Case No. 17-3566, ECF No. 523]
  - The Motion is granted in part. Separate order to be issued.

**VI. Status Conference**

1. Joint Motion of PREPA and AAFAF Approving Settlement Embodied in Restructuring Support Agreement. [Case No. 17-4780, ECF No. 1235]
  - The Court directs the government parties to file a joint statement by noon on June 18, 2019.

**VII. Motions in Limine**

1. FOMB and AAFAF's Urgent Motion in Limine to Exclude Testimony Offered by Certain Nonprofits. Urgent Motion in Limine to Exclude Testimony Offered by Instituto de Competitividad y Sostenibilidad Economica de Puerto Rico, et al. [Case No. 17-3283, ECF No. 7331, Case No. 17- 4780, ECF No. 1300]
  - The motion is taken under advisement.
2. FOMB and AAFAF's Urgent Motion in Limine to Exclude Testimony Offered by UTIER, SREAAEE and Windmar. Urgent Motion in Limine to Exclude Testimony Offered by Union de Trabajadores de la Industria Electrica y Riego (UTIER), Sistema de Retiro de los Empleados de la Autoridad de Energia Electrica (SREAAEE), and Windmar Renewable Energy [Case No. 17-3283, ECF No. 7332, Case No. 17- 4780, ECF No. 1301]
  - The motion is taken under advisement.

**VIII. Adjourned Matters**

1. Creditors' Committee Motion re Proposed Payment of \$7 Million to Bonistas Del Patio, Inc. [Case No. 17-3283, ECF No. 5136]
2. Oversight Board's Motion to Dismiss Insurers' Motion to Appoint a Receiver. [Case No. 17-4780, ECF No. 1233]

s/Lisa Ng  
Lisa Ng  
Courtroom Deputy